

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT**

**IN THE MATTER OF:**  
Rodney Logan, Debtor(s).

CHAPTER 13  
CASE NO. 10-72598-WSD  
/ JUDGE WALTER SHAPERO

**TRUSTEE'S OBJECTIONS TO  
CONFIRMATION OF CHAPTER 13 PLAN**

**NOW COMES**, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. The debtor provides in Schedule G that he has a lease with Mercedes Benz Financial for a 2008 Mercedes Benz and pays \$568.00 per month. The debtor testified at the §341 First Meeting of Creditors that he no longer has this lease it expired in June 2010 prior to the filing of the current case. The Trustee requests that the debtor amend Schedule G to remove this debt.

2. The Trustee objects to the plan as it may not comply with 11 USC §1325(a)(1) and Guideline Number 12 of the Local Bankruptcy Rules for the Eastern District of Michigan as the debtor(s) appears to be stripping the lien of CitiFinancial in class 2. The Trustee requests that the debtor(s) comply with Guideline Number 12.

3. The debtor's(s') Plan fails to provide that all of the debtor's(s') projected disposable income be utilized to fund the Plan. Specifically, the debtor's(s') Schedule J has overstated the following expense(s) in contravention of 11 U.S.C. 1325(a)(3) and/or 11 U.S.C. 1325(b):

- a. Electricity and/or heating fuel - \$380.00.
- b. Automobile insurance - \$750.00.
- c. Property taxes - \$650.00.
- d. Ford Flex spouse - \$711.00.
- e. Automobile installment payment - \$300.00.

The Trustee requests that the debtor provide proof of these expenses within fourteen (14) days.

4. The Plan fails to increase its funding upon the termination of the obligation for non-filing spouse Ford Flex in the amount of \$211.00 in contravention of 11 U.S.C. 1325(b)(1)(B) and 11 U.S.C. 1325(a)(3).

5. The debtor provides for treatment of an automobile installment payment in the amount of \$300.00. However, the debtor fails to disclose the creditor for this expense in the Chapter 13 Plan and/or Schedules and the Trustee requests that the debtor clarify this inconsistency.

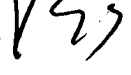
6. The debtor testified at the §341 First Meeting of Creditors that he pays his mother \$300.00 a month for a 2007 Audi. The Trustee objects to the debtor's failure to disclose this information in the Statement of Financial Affairs paragraph number 14 and the Trustee requests an amendment of same.

7. The debtor testified at the §341 First Meeting of Creditors that he owes a deficiency balance to Mercedes Benz Financial. The Trustee objects to the debtor's failure to disclose this information in the Schedules and the Trustee requests an amendment of same.

**WHEREFORE**, the Chapter 13 Trustee prays this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan and dismiss this case pursuant to 11 U.S.C. §1307(c)(5).

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT  
Tammy L. Terry, Chapter 13 Trustee

January 3, 2011

/S/ TAMMY L. TERRY (P-46254)   
Chapter 13 Standing Trustee  
/s/ KIMBERLY SHORTER - SIEBERT (P-49608)  
/s/ MARILYN R. SOMERS-KANTZER (P-52488)  
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**CERTIFICATE OF MAILING**

I hereby certify that on January 4, 2011, a copy of **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

/s/ Juatane E. Miller

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